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The CASE of the Dutcheſs of Richmond, and others Concerned in the *Duties* of Subſidy and Aulnage.

THE Statute 27 Edward 3d. gives the KING a Subſidy of Four Pence upon a Broad-Cloth, Two Pence upon an Half-Cloth, and a greater Sum on Scarlets, and Ingrained-Cloths, to be Paid by the Maker, and Half Penny to the Aulnager for Meaſuring; under the Penalty of Forfeiture of the Cloaths, if expoſed to Sale before Sealed with the Seal of the Collector of the Subſidy, and the Subſidy Paid.

This Subſidy, was Granted in lieu of the loſs the KING had in His ancient Customs upon Wooll Exported, &c. and not in reſpect of any Duty to be done by the Aulnager.

The Statute 17 Rich. 2d. gives leave to every man (which before, he could not do) to make Cloaths as well Kerſies, as other, of what Length and Breadth, him pleaſeth; Paying the Duties of Subſidy and Aulnage, *pro Rata*, under the Pains contained in the Statute.

Upon theſe Acts, It hath been Adjudged and Determined in Parliament, and by the Court of Exchequer, as appears by many Records, Judgments, and Decrees of that Court, and by all the Judges, 2 Jac. 1. That all manner of Woollen Cloaths, made for the Uſe of Man's Body, of what Length or Breadth, and called by what Names ſoever, ought to Pay a Ratable and Proportionable Duty, both of Subſidy and the Aulnage, and the ſame hath been Paid and Collected in the ſame Method, under the ſame Forfeitures as now it is, upwards of Three Hundred and Thirty Years.

'Tis true, That the Execution of the Office of Aulnager, as to Meaſuring, &c. hath been by ſome Statutes Tranſferred, and Intruſted with Searchers and Overſeers; but the Subſidy remained, and the Aulnagers Fee is by Act of Parliament reſerved.

And the Lord Treafurer by Acts of Parliament, is Impowered to let to Farm the ſame Duties of Subſidy and Aulnage, and a Moiety of the Forfeitures, and the ſame have been Farmed ever ſince, being now above Two Hundred Years.

1664. The Late King Charles by Letters Patents for Valuable Conſiderations, Demiſed the ſame Subſidy and Aulnage, and a Moiety of the Forfeitures to Charles Late Duke of Richmond, for Sixty Years, under the Rent of 997 *l.* 2 *s.* and during the Term, to Pay Lodowick Lord Aubigney, 1000 *l.* per Annum; which 1000 *l.* per Annum, the Duke afterwards Purchaſed.

1667. The Duke in Conſideration of Marriage, Assigned his Intereſt to Truſtees, to Pay 1500 *l.* per Annum, out of the Profits, to the Dutcheſs, in Part; And conveyed Lands in Truſts, to Pay her 500 *l.* per Annum more, in full of her Joynture; which Lands, were afterwards Sold for payment of the Dukes Debts, and in lieu thereof, 500 *l.* per Annum, more Charged upon the Subſidy and Aulnage.

1681. The Dukes Executors for 7600 *l.* paid by the Dutcheſs, Assign their whole Intereſt in the Farm to Truſtees, for the Dutcheſs and her Heirs assigns

1682. The Dutcheſs and her Truſtees for a great Fine, and other Conſiderations, Demiſe the ſame to the preſent Farmers, for Twenty One Years part of her Term, under a great Rent.

After which Leaſe, the Dutcheſs hath a remaining Term of Two and Twenty Years in all the ſaid Duties (be the ſame more or leſs) under the reſerved Rent to the Crown.

The BILL.

The Bill is to take away theſe Ancient Eſtabliſhed Duties of Subſidy and Aulnage, upon Pretence, That the way of Collecting the ſame (though not ſo much as Objected againſt to be contrary to Law) is Oppreſſive and Burthenſome; and to give a Compensation to the Crown, by laying the Duty upon thoſe Cloaths only that are Exported, to be Paid at the Custom-Houſe.

Reasons againſt Paſſing this Bill.

First, **I**T takes away an Ancient Inheritance of the Crown.

Secondly, It takes away the Eſtate and Intereſt of Private Perſons, Legally Veſted in them for Valuable Conſiderations.

Thirdly, It Deſtroys the Contracts and Covenants between the Dutcheſs, Farmers, and others.

Fourthly, The Rates and Duties Laid by the Bill, will not be a Recompence, for theſe Reaſons.

I. It is plain, That not above One Third, or at moſt, a Moiety of the Woollen Manufactures made in England, are Exported in Time of Peace, and not Half ſo much in Time of War; ſo that this Bill gives but One Third, or Half for the Whole.

II. That the Exportation of Woollen Manufactures, by Reaſon of the Great Increate of Making thereof in Foreign Parts, is likely daily to Decrease, eſpecially being Charged with New Impoſitions.

III. That the Rates Laid by the Bill, will not in Times of Peace, Exceed Three Thouſand Pounds per Annum; in Times of War not above Half that Sum.

IV. That the preſent Revenue (above all Charges in Collecting) appears to be Double thoſe Sums.

V. That the Certain Conſumption at Home, is taken away, and no Recompence, but an Uncertain Exportation.

VI. The Customs are but Temporary, upon the Collection whereof theſe Rates are to depend.

Fifthly, The Remedies Provided by the Bill, for Receiving and Recovering the Rates at the Custom-Houſe, are deficient, Chargeable, and Impracticable: It is therefore hoped this Bill will not Paſs.